GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – Family Welfare Programme – Smt.S.Seethalakshmamma, former Principal, MPHW (F) Training School, Kadapa (Retired) - Punishment imposed on the charge of Unauthorised absence from 08.06.1997 to 01.06.1999 besides Treated the absence period as Dies-Non – Hon'ble High Court passed orders – Examined - Partial modification of treating the absence period as leave which she is eligible instead of Dies-Non – Orders – Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (VC.II.2) DEPARTMENT

G.O.Rt.No.662, **Dated.05.11.2015.**

Read the following.

1) From Commissioner of Family Welfare, AP, Hyderabad Rc.No.11466/FW.E3/98, dated.04.11.2000.
2) Enquiry report in Rc.No.823/C/2000, dated.12.02.2001 of the E.O. & Principal RH&FWTC, Kurnool.
3) Govt.Memo.No.12701/VC.II.2/99-04, dated. 03.05.2006.
4) Explanation of Smt.S.Seethalakshmamma, Prl, MPHA(Retd), dated.24.07.2006.
5) From the Secretary, APPSC, Hyderabad, letter No.1091/RT-I/2007, dated.14.09.2007.
6) G.O.Rt.No.1360, HM&FW(VC.II.2) Dept, dated.09.10.2007.
7) From the Hon'ble APAT orders dated.04.09.2013, in OA No.2931/2011
8) From the Hon'ble A.P. High Court Hyderabad, dated.10.10.2013, in W.P. No.29121/2013

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In the G.O.6th read above, on the charge of unauthorized absence from duty with effect from 08.06.1997 to 01.06.1999, a penality of cut of Rs.175/- per month on permanent basis in the service pension was imposed on Smt.S.Seethalakshmamma, former Principal, M.P.H.W (F), Training School, Cuddapah, (Retired), besides treating the period of her unauthorized absence from 08.06.1997 to 01.06.1999 as "Dies-Non".

2. Aggrieved by the above orders, the individual has filed OA.No.2931/2011 before the Hon'ble Andhra Pradesh Administrative Tribunal, challenging the penality orders and the Hon'ble Tribunal has passed orders in the reference 7th read above, dismissing the OA.

3. Aggrieved by the dismissal of the OA, the individual has filed W.P.No.29121/2013, praying to release all her pensionary benefits and other attendant benefits and the Hon'ble High Court of A.P has passed orders in the reference 8th read above as follows:

> "Though no exception can be taken to the punishment of cut in pension at the rate of Rs.175/- per month, the one relating to "Dies-non" needs a re-look. The petitioner has already been denied the wages for that period. Treating the period as "Dies-non" would have its impact upon the length of service and thereby, the pension. In a way, it amounts to double punishment.
>
> Hence, we partly allow the Writ Petition and direct that the punishment of treating the period between 08.09.1997 and 01.06.1999 as "Dies-non" shall stand set aside. We make it clear that the petitioner shall not be entitled for any back wages on this account. There shall be no orders as to costs. The miscellaneous petition filed in this writ petition filed in this writ petition shall also stand disposed of".

PTO

4. Government after careful examination of the matter hereby partially modify the punishment of 'Dies-Non' to that of leave i.e. EL / HPL / ML on MC / EOL whichever she is eligible regarding the unauthorized absence w.e.f. 08.06.1997 to 01.06.1999 in respect of Smt.S.Seethalakshmamma, Retired Principal, M.P.H.W (F) Training School, Kadapa.

5. The Commissioner of Health & Family Welfare, A.P. Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH
PRINCIPAL SECRETARY TO GOVERNMENT

To
The individual
through the Commissioner of Health and Family Welfare, Hyderabad.
The Commissioner of Health and Family Welfare, Hyderabad.
The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.

// FORWARDED :: BY ORDER //

SECTION OFFICER